

## **REMARKS**

This Amendment is presented in response to the Examiner's Office Action mailed June 29, 2004. Claims 2, 4-5 and 10 are canceled, claims 1, 3, and 6-9 are amended, and new claims 34-39 are added. Claims 12-33 were previously withdrawn by the Examiner as being directed to a non-elected invention. Claims 1, 3, 6-9 and 34-39 are now pending in this application.

Reconsideration of this application is respectfully requested in view of the foregoing amendments to the claims and the following remarks. For the convenience and reference of the Examiner, the remarks of the Applicant are presented in the order in which the corresponding issues were raised in the Office Action.

### **I. General Considerations**

Applicant notes that the claim amendments and arguments presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited references. Such claim amendments and arguments should not be construed as an acquiescence, on the part of the Applicant, as to the purported teachings or prior art status of the cited references, nor as to the characterization of the cited references advanced by the Examiner. Accordingly, Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time, should it arise.

Applicant respectfully notes further that the following discussion of specific claim rejections should not be construed to constitute an exhaustive enumeration of the distinctions between the claims of the present application and the references cited by the Examiner. Instead, such distinctions are presented solely by way of example. Consistent with the foregoing, the discussion herein is not

intended, and should not be construed, to prejudice or foreclose future consideration, by the Applicant, of additional or alternative distinctions between the claims of the present application and the references cited by the Examiner.

## **II. Objection to the Abstract of the Disclosure**

The Examiner has objected to the abstract of the disclosure “because it’s almost word for word the same as claim 1.” In support of that objection, the Examiner has cited the Manual of Patent Examining Procedure (“MPEP”) § 608.01(b).

The applicant has reviewed MPEP § 608.01(b) and there is simply nothing in that section which provides even colorable support for the particular objection that the Examiner has made. In fact, the Abstract of the Disclosure is fully compliant with MPEP § 608.01(b) requirements in that the Abstract, as filed: (i) appears under the heading ‘Abstract of the Disclosure’; (ii) contains a concise statement of the technical disclosure of the application; (iii) is in narrative form; (iv) is limited to a single paragraph on a separate sheet; (v) is less than 150 words and does not exceed 25 lines of text; and, (vi) does not contain legal phraseology such as “means” and “said.”

In view of the foregoing, Applicant submits that no correction is required to the Abstract of the Disclosure and the objection of the Examiner should be withdrawn. In the event that the Examiner disagrees, the Examiner is respectfully invited by the Applicant to specifically identify that portion of MPEP § 608.01(b) that the Examiner believes provides support for the objection.

### **III. Claim Objection**

The Examiner has objected to claim 2 stating that “There should be punctuation in line 2 after ‘at least one of’.” In view of the cancellation herein of claim 2, Applicant respectfully submits that the objection has been rendered moot and should be withdrawn.

### **IV. Objection to the Drawings**

The Examiner has objected to the drawings under 37 C.F.R. 1.83(a), stating that “the spacer ‘thickness corresponding to’ for example the male socket and the female interface must be shown or the feature(s) canceled from the claim 2.” Applicant does not agree that the claimed feature is not indicated in the figures but respectfully submits that in light of the cancellation of claims 2, 4 and 5 herein, the objection has been rendered moot and should, accordingly, be withdrawn.

The Examiner has made another objection to the drawings under 37 C.F.R. 1.83(a), stating that “the ball grid array must be shown or the feature(s) canceled from claim 9.” As the ball grid array, now designated at 117 (previously unnumbered, see, e.g., paragraph 36) in new Figure 2D was disclosed in the application as filed, no new matter is introduced by amended Figure 2A or by new Figure 2D. Note that the replacement drawing sheet enclosed herewith indicates an amendment to Figure 2A showing that Figure 2D is a section view taken from Figure 2A.

In view of the replacement drawing sheet discussed above, and the amendment to the specification, submitted herein, Applicant respectfully submits that the aforementioned objections to the drawings have been overcome and should be withdrawn.

**V. Claim Rejections Under 35 U.S.C. § 112**

The Examiner has rejected claims 2-5, 7 and 9 under 35 U.S.C. § 112, second paragraph, alleging that the claims are “indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.”

As claims 2, 4 and 5 are cancelled herein, the rejections of those claims have been rendered moot and should be withdrawn.

Further, Applicant respectfully submits that in view of the amendments herein to claims 3, 7 and 9 respectively, the rejection of those claims has been overcome and should be withdrawn.

**VI. Claim Rejections Under 35 U.S.C. § 102(b)**

Applicant notes that a claim is anticipated under 35 U.S.C. § 102(a), (b), or (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. *See MPEP § 2131.*

With particular reference now to the rejection, the Examiner has rejected claims 1, 6-8, and 10-11 under 35 U.S.C. § 102(b) as being anticipated by U.S. 6,077,091 issued to *McKenna-Olsen et al* (“*McKenna*”). As claim 10 is canceled herein, Applicant submits that the rejection of that claim is thereby rendered moot and should accordingly be withdrawn. Regarding claims 1, 6-8 and 11, Applicant respectfully disagrees with the contentions of the Examiner and submits that, for at least the reasons outlined below, *McKenna* fails to anticipate such claims, and the rejection of those claims should accordingly be withdrawn.

With particular attention to independent claim 1, that claim has been amended herein to

recite, among other things, “a male electrical socket coupled to the first planar surface of the board, the male electrical socket comprising a plurality of blades” (emphasis added) and “a female electrical socket coupled to the second planar surface of the board, the female electrical socket comprising a plurality of pairs of leaf pins” (emphasis added). In contrast, *McKenna* fails to disclose, or even suggest, the leaf pairs and blades required by amended claim 1.

As the foregoing makes clear, the Examiner has failed to establish that any of the cited references discloses the combination now recited in claim 1. Thus, Applicant respectfully submits that *McKenna*, at least, fails to disclose each and every element as set forth in independent claim 1 and, accordingly, *McKenna* fails to anticipate claim 1, and likewise fails to anticipate claims 6-8 and 11 depending therefrom. Applicant further respectfully submits that for at least the foregoing reasons, the rejection of claims 1, 6-8 and 11 has been overcome and should be withdrawn.

## **VII. Claim Rejections Under 35 U.S.C. § 103(a)**

Applicant respectfully notes at the outset that in order to establish a *prima facie* case of obviousness, it is the burden of the Examiner to demonstrate that three criteria are met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; and third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See MPEP § 2143*.

With reference now to the obviousness rejection, the Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over *McKenna* as applied to claim 1, and further in view of U.S. 6,464,513 to Momenpour et al. (“*Momenpour*”). However, Applicant respectfully disagrees

with the contentions of the Examiner and submits that, for at least the reasons outlined below, the rejection of claim 9 under 35 U.S.C. § 103(a) should be withdrawn.

In view of its dependence from independent claim 1, claim 9 requires a “male electrical socket comprising a plurality of blades” and also requires a “female electrical socket comprising a plurality of pairs of leaf pins.” As discussed above however, *McKenna*, at least, fails to teach or suggest this limitation.

Thus, even if the cited references are combined in the manner that the Examiner has suggested would be obvious, the resulting combination nonetheless fails to include all the limitations required by claim 9. Accordingly, Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness with respect to claim 9 and the rejection of claim 9 should, accordingly, be withdrawn.

#### **VIII. Allowable Subject Matter**

Applicant notes with gratitude the indication of the Examiner that claims 2-5 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

In light of the remarks and amendments submitted herein however, Applicant has not submitted any such rewritten versions of claims 2-5 at this time.

#### **VIV. New Claim 39**

Applicant respectfully submits that new claim 39, which is directed to a combination that requires, among other things, “a male electrical connector attached to the first surface of the board”

and “a female electrical connector attached to the second surface of the board and arranged for electrical communication with the male electrical connector, the female electrical connector being configured to interface with a device having a connector with substantially the same configuration as the male electrical connector,” is patentably distinct with respect to the references cited by the Examiner.

With respect to the foregoing, Applicant respectfully notes that reference to the aforementioned exemplary limitation is not intended, nor should it be construed, to be either an admission or assertion by the Applicant that patentability of Applicant’s new claim, or any other claims, hinges on the presence of such limitation. Rather, Applicant submits that each of the now pending claims, considered in its respective entirety, patentably distinguishes over the references cited by the Examiner.

### CONCLUSION

In view of the discussion and amendments submitted herein, Applicant respectfully submits that each of the pending claims 1, 3, 6-9 and 34-39 is now in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 19<sup>th</sup> day of August 2004.

Respectfully submitted,



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ATTACHMENTS

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